

FILE NUMBER: Z234-308(WK) **DATE FILED:** August 12, 2024

LOCATION: North line of Samuell Boulevard, west of South Buckner Boulevard

COUNCIL DISTRICT: 7

SIZE OF REQUEST: 22.57 acres **CENSUS TRACT:** 48113012207

REPRESENTATIVE: Lauren Nuffer, Kimley-Horn and Associates

OWNER: Wal-Mart Real Estate Business Trust

APPLICANT: Jessica Howell, Wal-Mart Real Estate Business Trust

REQUEST: An application for an amendment to Specific Use Permit No. 2048 for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 100,000 square feet or more on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay.

SUMMARY: The purpose of the request is to continue to allow the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 100,000 square feet.

STAFF RECOMMENDATION: Approval for a three-year period with eligibility for automatic renewal for additional three-year periods, subject to amended conditions.

BACKGROUND INFORMATION:

- The area of the request is zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay.
- The SUP was originally approved by City Council on September 25, 2013, and was subsequently renewed on September 22, 2015, September 26, 2018, and August 11, 2021.
- The applicant is requesting eligibility for automatic renewal every three years.
- The lot has frontage on Interstate 30, Samuel Boulevard, and Saint Francis Avenue.

Zoning History:

There has been one zoning cases in the area over the past five years.

1. **Z223-310** – On March 27, 2024, City Council approved a new Specific Use Permit number 2429 for the sale of alcoholic beverages in conjunction with a general merchandise store greater than 3,500 square feed on a property zoned Planned Development District No. 605 with a D-1 Liquor Control Overlay, on the Southwest Corner of Samuel Boulevard and South Buckner Boulevard.

Thoroughfares/Streets:

Thoroughfare/Street	Type	Existing/Proposed ROW
Saint Francis Avenue	Local Street	-
Samuel Boulevard	Community Collector	80 feet
RL Thornton Freeway	Highway	-

Traffic:

The Transportation Development Services Division of the Transportation Department has reviewed the request and determined that it will not significantly impact the surrounding roadway system. Staff will continue review of engineering plans at permitting to comply with city standards.

STAFF ANALYSIS:

Comprehensive Plan

The forwardDallas! Comprehensive Plan was adopted by the City Council in June 2006. The forwardDallas! Comprehensive Plan outlines several goals and policies that can serve as a framework for assisting in evaluating the applicant’s request. The applicant’s request is consistent with the following goals and policies of the comprehensive plan.

ECONOMIC ELEMENT

GOAL 2.1 PROMOTE BALANCED GROWTH

Policy 2.1.3 Support efforts to grow retail and residential opportunities in the Southern Sector

URBAN DESIGN ELEMENT

GOAL 5.3 ESTABLISHING WALK TO CONVENIENCE

Policy 5.3.1 Encourage a balance of land uses within walking distance of each other.

Land Use:

	Zoning	Land Use
Site	Regional Retail	Retail
North	Regional Retail	Retail and Restaurant
East	Regional Retail	Retail
South	R-7.5(A)	Single Family
West	Regional Retail	Retail

Land Use Compatibility:

The site is developed with an approximately 208,653-square foot general merchandise or food store, which is permitted by right in the RR Regional Retail District. The sale of alcoholic beverages on the property required a Specific Use Permit due to the D-1 Liquor Control Overlay. The renewal of SUP No. 2048 will allow the continued sale of alcoholic beverages for off-premises consumption in conjunction with the existing general merchandise store.

Other uses surrounding the area of request retail and restaurant uses to the north, west, and east and single family uses to the south. The general merchandise matches the existing fabric of the surrounding area and supports the single family uses to the south.

The general provisions for a Specific Use Permit in Section 51A-4.219 of the Dallas Development Code specifically state: (1) The SUP provides a means for developing certain uses in a manner in which the specific use will be consistent with the character of the neighborhood; (2) Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate; (3) The city council shall not grant an SUP for a use except upon a finding that the use will: (A) complement or be compatible with the surrounding uses and community facilities; (B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties; (C) not be detrimental to the public health, safety, or general welfare; and (D) conform in all other respects to all applicable zoning regulations and standards. The regulations in this chapter have been established in accordance with a comprehensive plan for the purpose of promoting the health, safety, morals, and general welfare of the city.

Staff is in support of the request for a three-year period with eligibility for automatic renewal for additional three-year periods, as staff does not foresee detrimental effects of this use on the surrounding area.

Landscaping:

No new development is proposed. Therefore, no additional landscaping is required.

Parking:

The Dallas Development Code requires off-street parking to be provided for a general merchandise or food store 100,000 square feet or more at a ratio of one space for each 300 square feet of floor area.

The request site exceeds the required number of off-street parking spaces for the site. The 208,653 square foot development requires 696 spaces, and the existing site plan provides 837 spaces. The applicant does not propose amending the existing site plan.

Market Value Analysis:

Market Value Analysis (MVA), is a tool to aid residents and policy-makers in understanding the elements of their local residential real estate markets. It is an objective, data-driven tool built on local administrative data and validated with local experts. The analysis was prepared for the City of Dallas by The Reinvestment Fund. Public officials and private actors can use the MVA to more precisely target intervention strategies in weak markets and support sustainable growth in stronger markets. The MVA identifies nine market types (A through I) on a spectrum of residential market strength or weakness. As illustrated in the attached MVA map, the colors range from purple representing the strongest markets (A through C) to orange, representing the weakest markets (G through I). The area of the request and the areas immediately south and east are located in an “E” MVA area. The areas to the west and north are located in an “F” MVA area and to the northeast is an “I” MVA area.

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List of Officers

Wal-Mart Real Estate Business Trust
Jessica Howell, Senior Director

CRIME REPORT

The Dallas Police Department provided crime statistics from June 2021 to the present. The information is provided in the subsequent charts. There were a total of 139 arrests, 1,215 calls, and 414 incidents over the past three years.

Arrests

Arrests (Summary)	Count of Incidents
ABANDON/ENDANGER CHILD CRIMINAL NEGLIGENCE - FAMILY/GUARDIAN	2
APOWW (SOCIAL SERVICES REFERRAL)	19
ASSAULT (AGG) -DEADLY WEAPON	1
ASSAULT -BODILY INJURY ONLY	2
ASSAULT -ELD OR DISABLED VIC -OFFENSIVE CONTACT	1
ASSAULT -FAM VIOL OFFENSIVE CONTACT PC 22.01(A)(3)	1
ASSAULT -FAMILY VIOLENCE - BODILY INJURY ONLY	2
ASSAULT -OFFENSIVE CONTACT	3
ASSAULT -PUB SERV (PEACE OFFICER/JUDGE)	5
BMV	1
CRIM MISCHIEF >OR EQUAL \$750 < \$2,500	1
CRIMINAL TRESPASS	8
DWI W/CHILD UNDER 15 YOA	1
EVADING ARREST DETENTION	2
FAIL TO ID -FUGITIVE FROM JUSTICE	1
FAIL TO ID -FUGITIVE INTENT GIVE FALSE INFO	2
FAIL TO ID -GIVING FALSE/FICTITIOUS INFO PC 38.02(c)(2)	1
FRAUD USE/POSS IDENTIFYING INFO # ITEMS < 5	1
HARASSMENT OF PUBLIC SERVANT	1
INTERFERE W/ PUBLIC DUTIES	2
OBSTRUCTION OR RETALIATION	2

OTHER OFFENSE – MISDEMEANOR	1
POSS CONT SUB PEN GRP 1 <1G	6
POSS CONT SUB PEN GRP 1 > OR EQUAL 4G<200G	1
POSS CONT SUB PEN GRP 3 < 28G	1
POSS MARIJUANA >4OZ< OR EQUAL 5LBS *DRUG FREE ZONE*	1
POSSESSION OF DRUG PARAPHERNALIA	2
PUBLIC INTOXICATION	2
RESIST ARREST SEARCH OR TRANSPORT	9
THEFT OF PROP <\$100 - SHOPLIFTING - (NOT BY EMPLOYEE)	2
THEFT OF PROP <\$100 W/PREV CONV (SHOPLIFT-NOT EMP) PC31.03(e2B)	1
THEFT OF PROP <\$2,500 2+PREV CONV (SHOPLIFT-NOT EMP) PC31.03(e4D)	4
THEFT OF PROP > OR EQUAL \$100 <\$750 (SHOPLIFT-NOT EMP) PC31.03(e2A)	12
THEFT OF PROP > OR EQUAL \$750 <\$2,500 (SHOPLIFT-NOT EMP) PC31.03(e3)	1
UNAUTHORIZED USE OF MOTOR VEH – AUTOMOBILE	1
UNLAWFUL POSS FIREARM BY FELON	1
WARRANT DALLAS PD (AGG ASSAULT - FV)	2
WARRANT DALLAS PD (ALIAS/CAPIAS)	6
WARRANT HOLD (NOT A DPD WARRANT)	21
Grand Total	139

Calls

Calls (Summary)	Count of Incidents
**PD Requested by Fire	11
04 - 911 Hang Up	42
06 - Minor Disturbance	1
07 - Minor Accident	82
08 - Intoxicated Person	2
09 - Theft	36
09/01 - Theft	11
09V - UUMV	69
09V-01 UUMV Just Ocrd	32
11B - Burg of Bus	1
11V - Burg Motor Veh	17
11V/01 - Burg Motor Veh	7
12B - Business Alarm	10
13 - Prowler	4
14 - Stabbing, Cutting	1
15 - Assist Officer	31
15A - Assist Officer w/Amb	8
16 - Injured Person	9
16A - Injured Person w/Amb	3
17 - Kidnapping in Progress	1
20 - Robbery	10
20R - Robbery (report)+1hr	1
21B - Business Hold Up	1
22 - Animal Disturbance	1
23 - Parking Violation	6
24 - Abandoned Property	16
25 - Criminal Assault	5
26/01- Missing Person-Critical	1
29 - Open Building	1
30 - Prisoner	47
30/01 - ODO w/Prisoner	6
30D - Prisoner Other Agency	3
31 - Criminal Mischief	4
31/01 - Crim Mis/Prog/Non Felo	3
32 - Suspicious Person	29
34 - Suicide	7
36/01 - Aband Child Critical	7
37 - Street Blockage	2
38 - Meet Complainant	15
39 - Speeding/Racing	3
40 - Other	115
40/01 - Other	129

41/09 - Theft - In Progress	3
41/09V - UUMV in Progress	2
41/11V - BMV-In Progress	8
41/20 - Robbery - In Progress	1
41/40 - Other - In Progress	1
43 - Road Rage	7
46 - CIT	34
46A - CIT w/Ambulance	5
6G - Random Gun Fire	6
6X - Major Dist (Violence)	282
6XA - Major Dist Ambulance	19
6XE - Disturbance Emergency	10
6XEA - Disturbance Emerg Amb	2
7X - Major Accident	21
AC/01 - Animal Cruelty In Prog	2
DAEF-Dist Armed Encounter Foot	8
DAEV-Dist Armed Encounter Veh	7
DASV-Dist Active Shooter Veh	2
PH – Panhandler	5
Grand Total	1215

Incidents

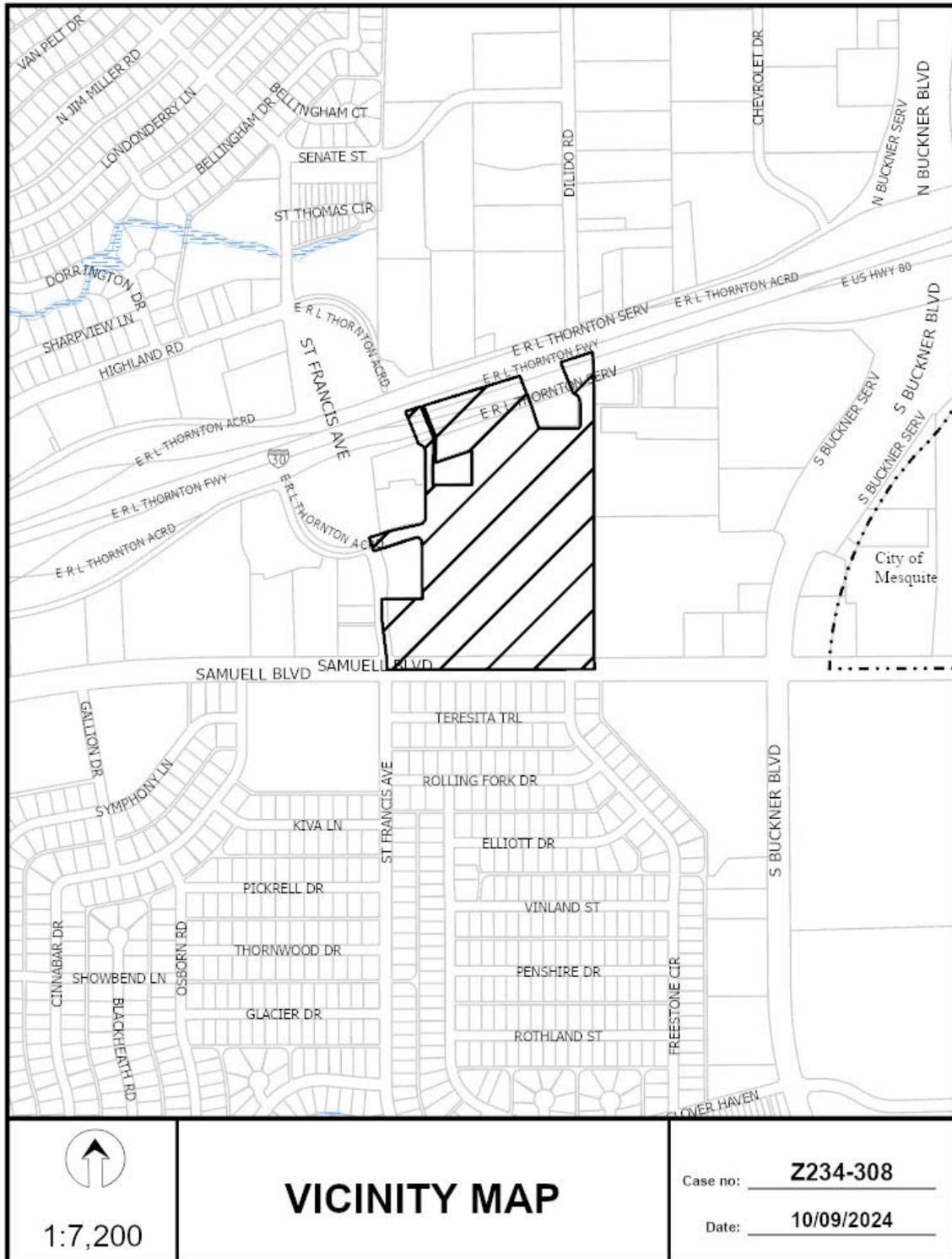
Incidents (Summary)	Count of Incidents
AGG ASSAULT – FV	1
AGG ASSAULT - NFV	8
ALL OTHER OFFENSES	21
BMV	81
BURGLARY-BUSINESS	2
DESTRUCTION/ DAMAGE/ VANDALISM OF PROPERTY	18
DRUG EQUIPMENT VIOLATIONS	2
DRUG/ NARCOTIC VIOLATIONS	22
DUI	1
EMBEZZLEMENT	6
FAMILY OFFENCES, NONVIOLENT	3
FRAUD OFFENCES	8
INTIMIDATION	5
KIDNAPPING/ABDUCTION	1
OTHER THEFT	31
PUBLIC INTXICATION	3
ROBBERY-INDIVIDUAL	5
SHOPLIFTING	28

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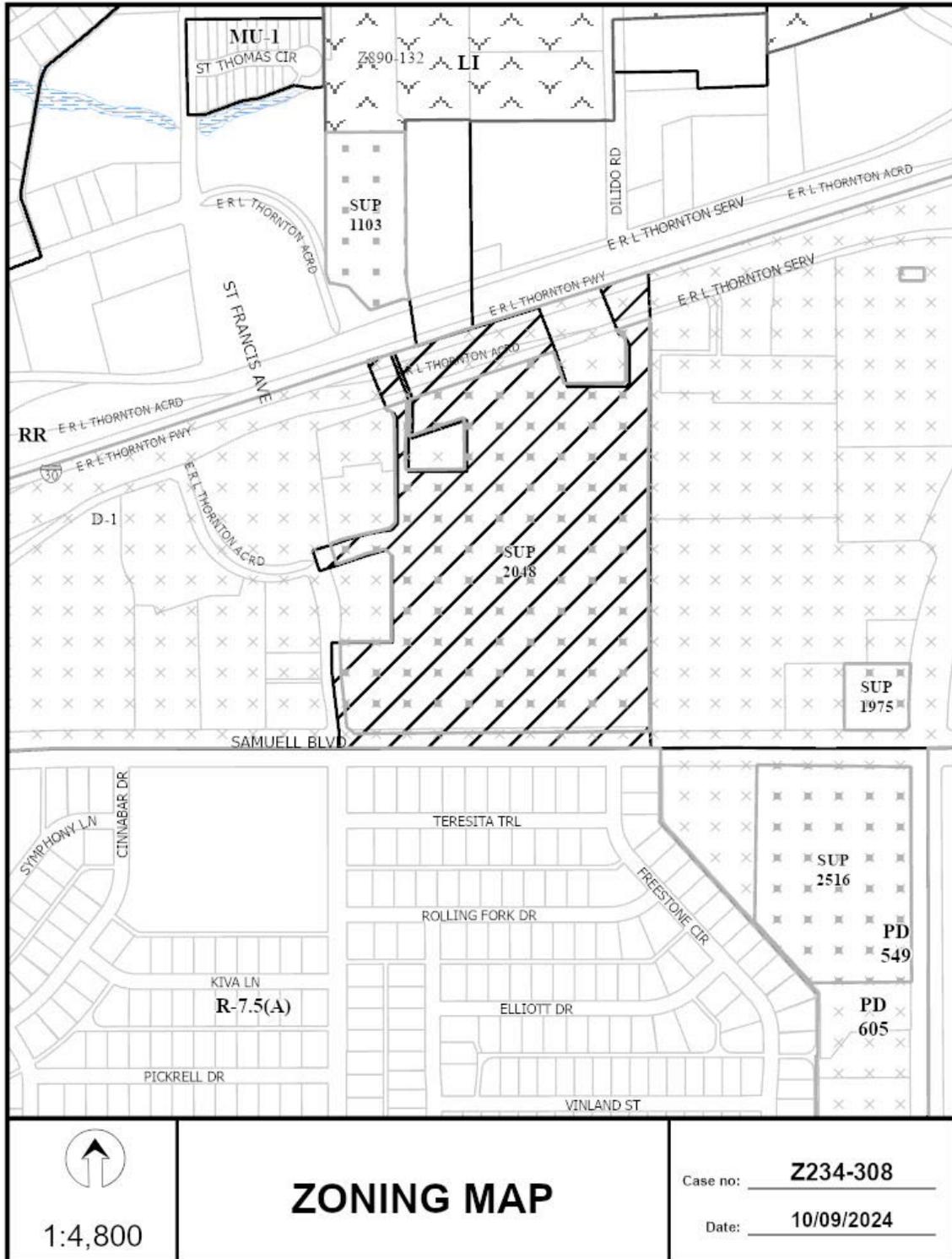
SIMPLE ASSAULT	32
STOLEN PROPERTY OFFENSES	1
TRESPASS OF REAL PROPERTY	10
UUMV	118
WEAPON LAW VIOLATIONS	2
Grand Total	414

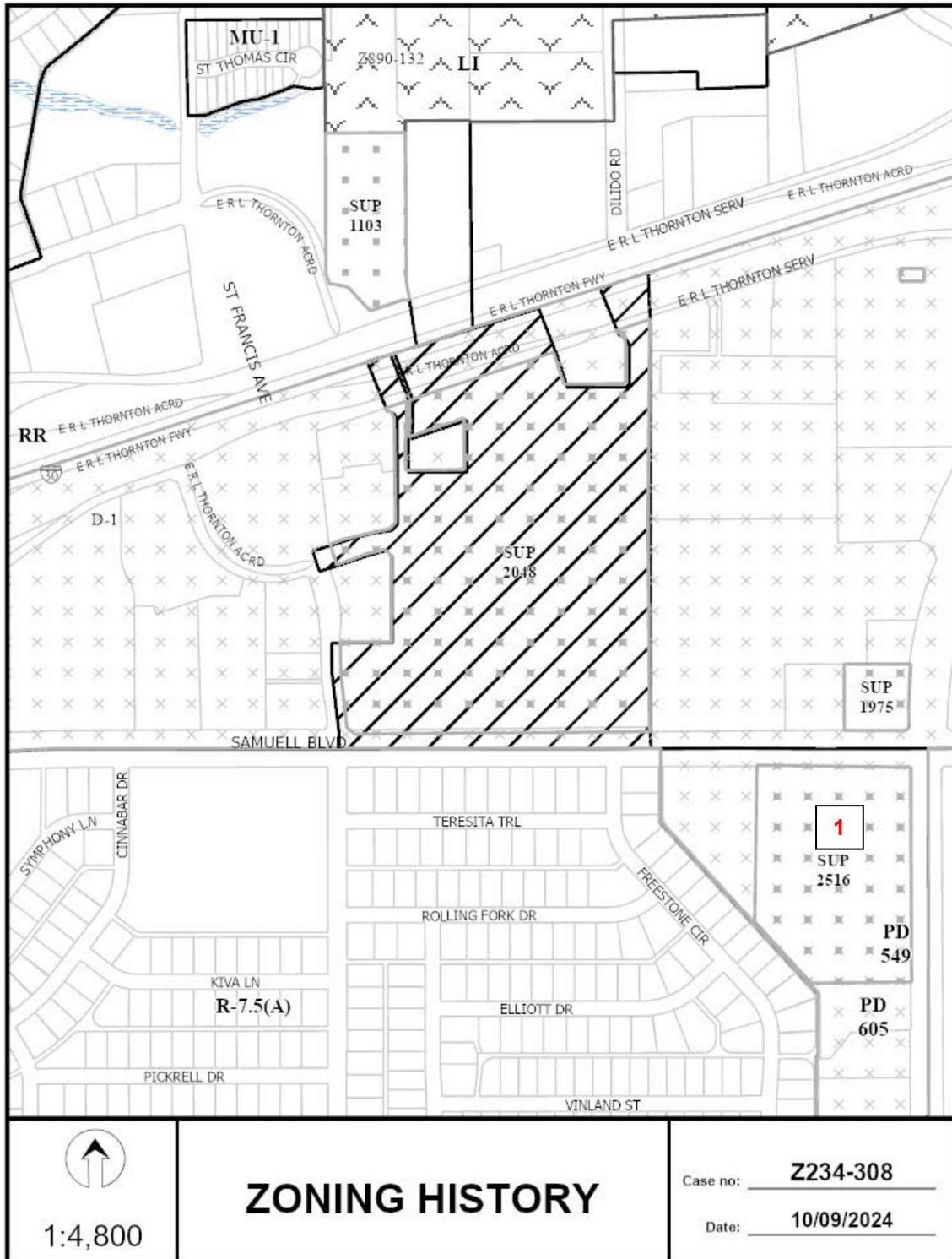
PROPOSED CONDITIONS

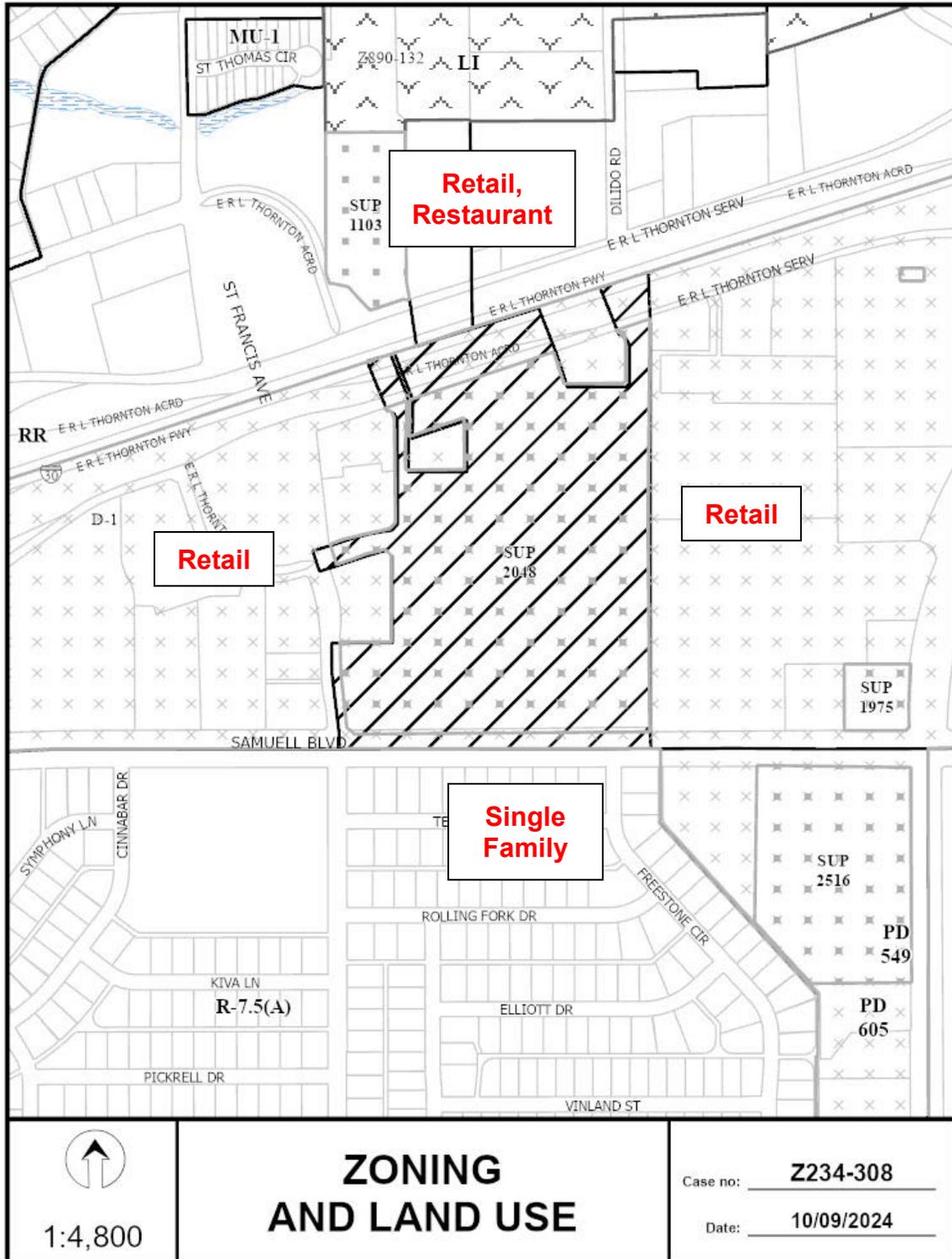
1. USE: The only use authorized by this specific use permit is the sale of alcoholic beverages in conjunction with a general merchandise or food store 100,000 square feet or more.
2. SITE PLAN: Use and development of the Property must comply with the attached site plan.
3. TIME LIMIT: This specific use permit is approved for a time period that expires on August 11, 2024 (three years from the passage of this ordinance), but is eligible for automatic renewal for additional three-year periods pursuant to Section 51A-4.219 of Chapter 51A of the Dallas City Code, as amended. For automatic renewal to occur, the Property owner must file a complete application for automatic renewal with the director before the expiration of the current period. Failure to timely file a complete application will render this specific use permit ineligible for automatic renewal. (Note: The Code currently provides that applications for automatic renewal must be filed after the 180th but before the 120th day before the expiration of the current specific use permit period. The Property owner is responsible for checking the Code for possible revisions to this provision. The deadline for applications for automatic renewal is strictly enforced.)
4. MAINTENANCE: The Property must be properly maintained in a state of good repair and neat appearance.
5. GENERAL REQUIREMENTS: Use of the Property must comply with all federal and state laws and regulations, and with all ordinances, rules, and regulations of the City of Dallas.

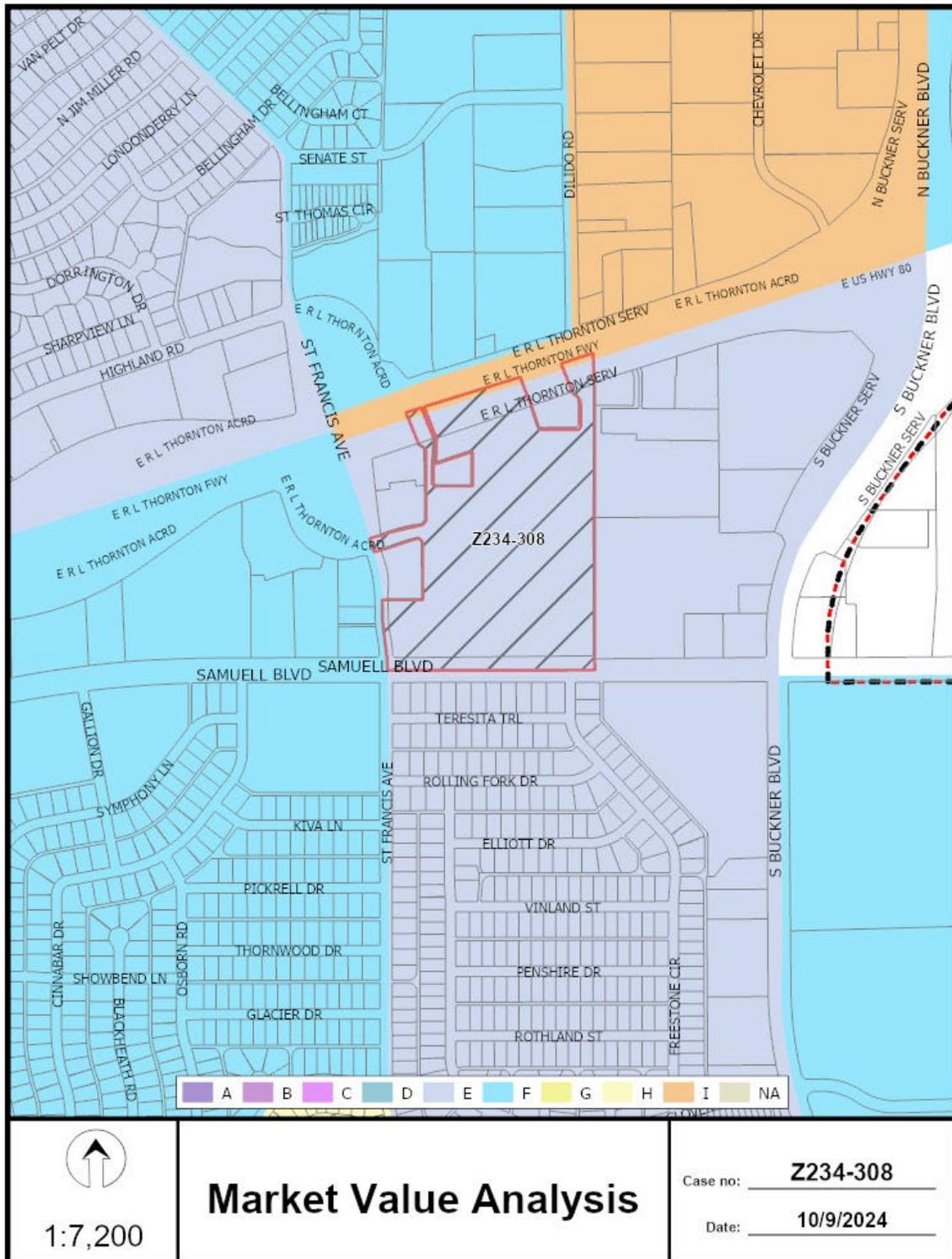


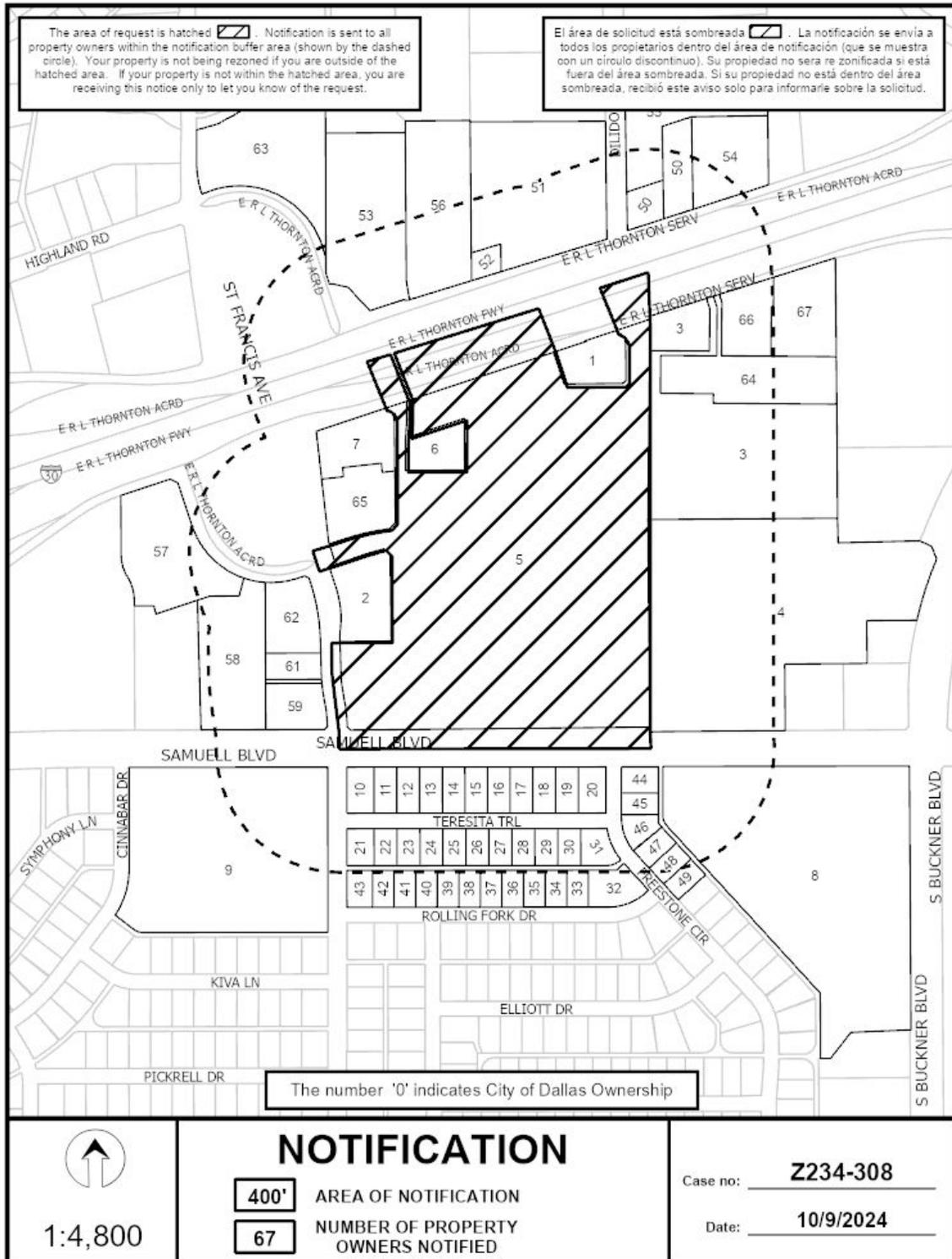












10/09/2024

Notification List of Property Owners***Z234-308******67 Property Owners Notified***

<i>Label #</i>	<i>Address</i>	<i>Owner</i>
1	9210 E R L THORNTON FWY	WAM JERI A FAMILY TRUST &
2	3940 ST FRANCIS AVE	SHOQUIST PROPERTIES LP
3	9208 E R L THORNTON FWY	BUCKNER JUBILEE INVESTMENTS
4	5555 S BUCKNER BLVD	NNN DALLAS TX OWNER LP
5	7401 SAMUELL BLVD	WAL MART REAL EST BUS TR
6	8950 E R L THORNTON FWY	CFT DEVELOPMENTS LLC
7	8930 E R L THORNTON FWY	8930 RL THORNTON LLC &
8	5204 S BUCKNER BLVD	HEB GROCERY COMPANY LP
9	6810 SAMUELL BLVD	CHRISTIAN STRONGHOLD BAPTIST CHURCH
10	7105 TERESITA TRL	FLETCHER ARGELL ETAL
11	7111 TERESITA TRL	THOMAS K T
12	7117 TERESITA TRL	RAMOS RUFINO
13	7123 TERESITA TRL	CUSTARD SANDRA KAY
14	7129 TERESITA TRL	Taxpayer at
15	7135 TERESITA TRL	TANG STEPHEN VU
16	7141 TERESITA TRL	RAMIREZ RUBY
17	7147 TERESITA TRL	WHITEHEAD KELLY JOE
18	7153 TERESITA TRL	ADEYOJU EMMANUEL ETUX
19	7159 TERESITA TRL	MURILLO PABLO JR
20	7165 TERESITA TRL	MARSHALL LENWOOD &
21	7106 TERESITA TRL	WASHINGTON SYLVESTER & ZELMA B
22	7112 TERESITA TRL	BROWN MARK D & DEBRA D
23	7118 TERESITA TRL	COLLINS LAURINE H LF EST
24	7124 TERESITA TRL	MILLER BRITTNEY
25	7130 TERESITA TRL	SANDERS JO ANN
26	7136 TERESITA TRL	GARCIA SERGIO M &

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
27	7142 TERESITA TRL	FLORES RAMON H & ROSA U
28	7148 TERESITA TRL	LEANOS AMADA
29	7154 TERESITA TRL	HILL CE ESTER & EUNICE
30	7160 TERESITA TRL	TAING AN & PHA
31	7166 TERESITA TRL	CUNNINGHAM BELLE
32	7177 ROLLING FORK DR	NEWMAN TERENCE T
33	7165 ROLLING FORK DR	LANE LOIS H
34	7159 ROLLING FORK DR	ESCOBEDO LUIS ANGEL
35	7153 ROLLING FORK DR	Taxpayer at
36	7147 ROLLING FORK DR	RUIZ ROSIE OCHOA &
37	7141 ROLLING FORK DR	GARCIA SERGIO M
38	7135 ROLLING FORK DR	TOMPKINS DOLORES
39	7129 ROLLING FORK DR	BARRIENTOS MARIO C
40	7123 ROLLING FORK DR	TRENT WILLIAM D & WILMA J
41	7117 ROLLING FORK DR	TIPTON CATHLEEN
42	7111 ROLLING FORK DR	CHENG JASON
43	7105 ROLLING FORK DR	MAYES QUINCY LAVELL
44	5430 FREESTONE CIR	MARQUEZ MARTINA
45	5424 FREESTONE CIR	PERRY ELLEN MARIE
46	5418 FREESTONE CIR	COMBEST KENNETH ROYCE
47	5412 FREESTONE CIR	ZERAI AZMERA
48	5406 FREESTONE CIR	RENDON EDWARD & SUSANA
49	5330 FREESTONE CIR	CARR MARGARET
50	9103 E R L THORNTON FWY	PAWN TX INC
51	9001 E R L THORNTON FWY	LAMPLIGHTER MOTEL LTD
52	9001 E R L THORNTON FWY	SINNI CORPORATION
53	8901 E R L THORNTON FWY	NORTHSTAR HOTELS LLC
54	9125 E R L THORNTON FWY	9125 THORNTON LLC
55	3830 DILIDO RD	THESEUS HOLDINGS INC
56	8951 E R L THORNTON FWY	PS TEXAS HOLDINGS LTD
57	8640 E R L THORNTON FWY	SIERRA HTZD LLC

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<i>Label #</i>	<i>Address</i>	<i>Owner</i>
58	8640 E R L THORNTON FWY	SHIV HOSPITALITY GROUP DALLAS LLC
59	4025 ST FRANCIS AVE	RAE STRATEGIES CORP
60	4020 ST FRANCIS AVE	INTERSTATE NATIONAL BANK
61	3949 ST FRANCIS AVE	3949 ST FRANCIS LLC
62	3939 ST FRANCIS AVE	FIDELITY BANK NATL ASSOC
63	3550 ST FRANCIS AVE	CASA BONITA APARTMENTS LLC
64	9222 E R L THORNTON FWY	TS BUCKNER LLC
65	3936 ST FRANCIS AVE	WAL MART REAL EST BUS TR
66	9226 E R L THORNTON FWY	BANK OF AMERICA NA
67	9310 E R L THORNTON FWY	DOCKSIDE THREADING INC